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August 21, 2019

The Honorable Judge Paul A. Crotty
United States Courthouse
500 Pearl St.
New York, NY 10007-1312

***Re: 1:18-cv-05608-PAC, Plaintiff's Motion for Permission to File Amended Complaint
and Proposed Summons Under Seal and For Limited Protective Order***

Dear Judge Crotty:

Plaintiff Malibu Media, LLC hereby moves the Court for an order permitting them to file under seal the Amended Complaint and a request for issuance of a Summons and for a limited protective order. The Summons and the Amended Complaint both list the Defendant's true identity. The redacted Amended Complaint and its exhibits are annexed hereto as Exhibit A.

Pursuant to this Court's Order on Plaintiff's Motion for Leave to Serve Third Party Subpoena Prior to a Rule 26(f) Conference ("Order on Motion for Leave") [CM/ECF 20], this Honorable Court placed conditions and limitations on Plaintiff's use of Defendant's identifying information gathered pursuant to the subpoena to the defendant's Internet Service Provider ("ISP") stating that "the Defendant may proceed anonymously as John Does unless and until the Court orders otherwise[.]" Plaintiff respectfully argues that in light of the limitation set forth in the above-quoted section of the Court's Order on Motion for Leave, and considering defendant's opportunity to challenge the disclosure of his/her identifying information will come only after service of the

proposed Amended Complaint, Defendant's identity in the Amended Complaint and Summons should be sealed.

WHEREFORE, it is for these reasons that the Plaintiff requests that the Court enter an order for permission to file the Summons and Amended Complaint under seal, and further ordering that defendant shall have 30 days from the date of this order or 21 days after service upon him/her of the amended complaint, whichever is later, to move for leave to continue to proceed anonymously. If Defendant files no timely motion to continue to proceed anonymously, Plaintiff may file future filings publicly

Dated: August 21, 2019

Respectfully submitted,

By: /s/ Kevin T. Conway
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CERTIFICATE OF SERVICE

I hereby certify that on August 21, 2019, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF and that service was perfected on all counsel of record and interested parties through this system.

By: /s/ Kevin T. Conway
Kevin T. Conway, Esq.